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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

11 | ARCHIE ISLAS,

NO. CIV. S-03-1687 LKK/JFM

12 Plaintiff,

13 || v.

O R D E R

14 LOUISVILLE LADDER GROUP, LLC,  
15 a Delaware limited liability  
company; and HOME DEPOT U.S.A.,  
INC., a Delaware corporation,

## Defendants.

18       The court is in receipt of defendant's declaration stating  
19 that his client would be charged in excess of \$5,000 if plaintiff  
20 is allowed to proceed on a new theory at trial. The court has also  
21 reviewed plaintiff's response stating that he believes this amount  
22 is "excessive." Having considered the parties' arguments, the  
23 court hereby ORDERS plaintiff's counsel to PAY \$5,000 (five-  
24 thousand dollars) to opposing counsel within thirty (30) days of  
25 this order. Plaintiff's counsel shall also file an affidavit with  
26 this court within thirty (30) days which states that this amount

1 is paid personally by counsel, out of personal funds, and is not  
2 and will not be billed, directly or indirectly, to the client or  
3 in any way made the responsibility of the client as attorneys' fees  
4 or costs.

5 IT IS SO ORDERED.

6 DATED: May 12, 2006.

7 /s/Lawrence K. Karlton  
8 LAWRENCE K. KARLTON  
9 SENIOR JUDGE  
10 UNITED STATES DISTRICT COURT

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